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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Controlled Substances Act to prevent the importation of illicit pill press machines with the intent to counterfeit substances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. McDOWELL introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Controlled Substances Act to prevent the importation of illicit pill press machines with the intent to counterfeit substances, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Rogue
5 Equipment for Synthetic Substances Act” or the “PRESS
6 Act”.

1 **SEC. 2. PROVIDING FOR EXTRATERRITORIAL JURISDIC-**
2 **TION.**

3 (a) POSSESSION, MANUFACTURE, OR DISTRIBUTION
4 FOR PURPOSES OF UNLAWFUL IMPORTATION.—Section
5 1009 of the Controlled Substances Act (21 U.S.C. 959)
6 is amended—

7 (1) by redesignating subsections (c) and (d) as
8 subsections (d) and (e), respectively;

9 (2) by inserting after subsection (b) the fol-
10 lowing:

11 “(c) It shall be unlawful for any person to manufac-
12 ture or distribute a tableting machine, encapsulating ma-
13 chine, press punch, die system, gelatin capsule, or any
14 equipment, chemical, product, or material—

15 “(1) intending or knowing that it will be used
16 to manufacture a controlled substance or listed
17 chemical; and

18 “(2) intending, knowing, or having reasonable
19 cause to believe that the controlled substance or list-
20 ed chemical will be unlawfully imported into the
21 United States.”; and

22 (3) in subsection (d)—

23 (A) in paragraph (1), by striking “or” at
24 the end;

25 (B) in paragraph (2), by striking the pe-
26 riod at the end and inserting “; or”; and

1 (C) by adding at the end the following:

2 “(3) manufacture or distribute a tableting ma-
3 chine, encapsulating machine, press punch, die sys-
4 tem, gelatin capsule, or any equipment, chemical,
5 product, or material—

6 “(A) intending or knowing that it will be
7 used to manufacture a controlled substance or
8 listed chemical; and

9 “(B) intending, knowing, or having reason-
10 able cause to believe that the controlled sub-
11 stance or listed chemical will be unlawfully im-
12 ported into the United States.”.

13 (b) PROHIBITED ACTS.—Section 1010 of the Con-
14 trolled Substances Act (21 U.S.C. 960) is amended—

15 (1) in subsection (d)—

16 (A) in paragraph (6), by striking “or” at
17 the end;

18 (B) in paragraph (7)—

19 (i) by striking “section 959 of this
20 title” and inserting “section 1009”; and

21 (ii) by striking the period at the end
22 and inserting “; or”;

23 (C) by inserting after paragraph (7) the
24 following:

1 “(8) manufactures or distributes a tableting
2 machine, encapsulating machine, press punch, die
3 system, gelatin capsule, or any equipment, chemical,
4 product, or material in violation of subsection (c) of
5 section 1009,”; and

6 (D) in the matter following paragraph (8),
7 as so inserted, by striking “shall be fined” and
8 all that follows through “or both” and inserting
9 the following: “shall be fined in accordance with
10 title 18, United States Code, imprisoned for the
11 applicable period described in subsection (e), or
12 both”; and

13 (2) by adding at the end the following:

14 “(e) The applicable period described in this sub-
15 section is the following:

16 “(1) In the case of a violation of paragraph (1)
17 or (3) of subsection (d) involving a list I chemical,
18 not more than 20 years.

19 “(2) Subject to paragraph (4), in the case of a
20 violation of paragraph (7) of subsection (d), not
21 more than 10 years.

22 “(3) Subject to paragraph (4), in the case of a
23 violation of paragraph (8) of subsection (d), not
24 more than 8 years.

1 “(4) In the case of a violation of paragraph (7)
2 or (8) of subsection (d) that involves more than
3 1,000 kilograms of a chemical or product or more
4 than 100 machines that are tableting machines or
5 encapsulating machines, not more than 15 years.

6 “(5) In the case of a violation of subsection (d)
7 other than a violation of paragraph (1), (3), (7), or
8 (8) of such subsection, not more than 10 years.”.

9 (c) UNITED STATES SENTENCING COMMISSION.—
10 Pursuant to its authority under section 994(p) of title 28,
11 United States Code, the United States Sentencing Com-
12 mission shall review and amend the Federal sentencing
13 guidelines and policy statements of the Commission, as ap-
14 propriate, in accordance with this Act and the amend-
15 ments made by this Act.